

REMARKS

Upon entry of the present amendment, claims 1-15 will remain pending. Claim 6 will have been amended while claims 7-15 will have been submitted for consideration by the Examiner.

In view of the herein contained amendments and remarks, Applicant respectfully requests reconsideration and withdrawal of the outstanding objection and rejections together with an indication of the allowability of all the claims pending in the present application. Such action is respectfully requested and is now believed to be appropriate and proper.

Initially, Applicant notes with appreciation the Examiner's acknowledgement of his Claim for Foreign Priority under 35 U.S.C. § 119 as well as for confirming receipt of the certified copy of the foreign priority document.

Additionally, Applicant notes with appreciation the Examiner's confirmation of consideration of the documents cited in the Information Disclosure Statement filed on April 26, 2001. In this regard, Applicant wishes to update the status of the applications cited to the Examiner in the above-noted Information Disclosure Statement. In this regard, Applicant notes that Application No. 09/208,859 has been allowed but has not yet been assigned a patent number. U.S. Patent Application No. 09/480,460 has issued as U.S. Patent No. 6,724,504 on April 20, 2004. The Examiner is respectfully requested to update the status of these applications by confirming consideration of the issued patent and, if appropriate, the patent to issue from the allowed application.

Finally, Applicant notes with appreciation the Examiner's indication that the drawings filed in the present application on January 26, 2001 have been accepted.

In the outstanding Official Action, the Examiner objected to claim 6 as being a substantial duplicate of claim 1. Applicant respectfully traverses the Examiner's objection and submits that claim 6 was not a substantial duplicate of claim 1. In this regard, Applicant notes that claim 1 recites a first image displayed by the first monitor and a second image displayed by the second monitor. In direct contrast, claim 6 recites that the first and second monitors can display the same image.

Nevertheless, by the present Response, Applicant has amended claim 6 to be even more distinct from claim 1. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the objection to claim 6.

In the outstanding Official Action, the Examiner rejected claims 1 and 6 under 35 U.S.C. § 112, second paragraph as being indefinite. The Examiner asserted that the recitation in claims 1 and 6 of a "second" monitor is indefinite as it implies that the computer has a first monitor.

Applicant respectfully traverses the above rejection and submits that it is inappropriate. The recitation of the "second monitor" is not referring to the second monitor of the computer but with reference to the image reading device which, as recited in the previous paragraph, recites a "first monitor".

In other words, Applicant's invention, as defined in claims 1 and 6, is directed to an image reading system including an image reading device and a computer. The image reading device is recited to have a first monitor while the computer is recited to have a

second monitor. The second monitor is "second" in reference to the first monitor recited previously in the claim. Merely because the term "second monitor" appears in the same paragraph as the computer does not mean that the recitation refers to a second monitor contained in the computer.

Accordingly, Applicant submits that the claims in the present application are clear, definite and accurate and properly describe Applicant's invention. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejection of claims 1 and 6 under 35 U.S.C. § 112, second paragraph.

Claims 1 and 3-6 were rejected under 35 U.S.C. § 102(b) as being anticipated by UENO et al. (U.S. Patent No. 5,479,206). Claim 2 was rejected under 35 U.S.C. § 103 as unpatentable over UENO et al. in view of YAMAMOTO (U.S. Patent No. 6,668,096). Applicant respectfully traverses each of the above-noted rejections and submits that they are inappropriate with respect to the claims in the present application.

In particular, in setting forth the rejection, the Examiner asserts that UENO et al. discloses a computer 30 and a camera 10 and that the computer is provided with a display 40 while the camera is provided with a display 5. Nevertheless, the disclosure of UENO et al. does not disclose, teach nor render obvious the combination of features recited in Applicant's claims.

In particular, claim 1 recites, *inter alia*, that the second monitor (which is part of the computer), indicates a second image related to control of the image reading device and that the first monitor, which is provided to the image reading device, is able to indicate the second image. In other words, in accordance with the recitations of

Applicant's claim 1, the first monitor (as well as the second monitor) is able to indicate an image related to control of the image reading device. This is not true with respect to the UENO et al. device. The monitor that is connected to the camera 10 of UENO et al., which the Examiner identified as corresponding to Applicant's image reading device, (i.e., display 5) is not disclosed to be capable of displaying the information displayed on the display 40. In this regard, Applicant notes the Examiner's reference to column 13, lines 34-40 . However, this portion of the UENO et al. disclosure does not provide support for the Examiner's interpretation thereof. In particular, the recited portion of UENO et al. merely indicates that a monitor display unit 5a enables the photographed subject to be displayed thereon so that it can be observed while the computer is being operated. However, there is no indication in this portion of the UENO et al. disclosure that an image related to control of the image reading device, which is indicated on the second monitor, can also be indicated on the first monitor. This is a significant feature of Applicant's invention that is not taught, disclosed nor rendered obvious by UENO et al.

Merely because two components are connected by a "communication line" provides no teaching that identical data can be indicated on each of two monitor devices, contrary to the Examiner's assertion.

Further, the Examiner's reference to column 6, lines 26-28 is also submitted to be inadequate to support the Examiner's conclusion that UENO et al. anticipates the claims of the present application. This portion of the UENO et al. disclosure merely indicates that the controlled variable is displayed in the computer system and the user of the

imaging system, which does not exclude the computer system, can observe the displayed controlled variable.

Nevertheless, there is no indication or teaching within UENO et al., that an image related to control of image reading device, that is displayed on a monitor that is part of a computer, can also be displayed on a monitor that is provided for indicating an image read by the image reading device, and that is provided to an image reading device of the image reading system. This above-noted feature, in the claimed combinations is submitted to provide significant advantages for Applicant's herein claimed invention. In particular, even when the image reading device and the computer are remote from each other, the operator can make appropriate adjustments by utilizing the monitor of the image reading device. In this regard, the Examiner's attention is respectfully directed to, *inter alia*, page 13, lines 9-13.

In setting forth the rejection, the Examiner asserted that since in UENO et al. the two units (i.e., the host computer and the electronic camera) are connected on the same communication line, the images displayed by each separate component could be viewed from either monitor. It is respectfully submitted that there is no support, neither technical nor logical, for this proposition. Furthermore, the disclosure of the UENO et al. document also does not disclose this feature. In this regard, Applicant notes that while the image of the subject photographed by the electronic camera can be displayed on the monitor display unit 5a (column 13, lines 36-38), there is no teaching therein that the monitor of the camera (i.e., the first monitor) can indicate the second image which is related to control of the image reading device. In other words, according to the teaching

of UENO et al., there is no capability of controlling the image reading device via the monitor provided on the image reading device. Rather, the image reading device is controlled from the monitor provided to the host computer 30.

In the outstanding Official Action, the Examiner has rejected claim 2 under 35 U.S.C. § 103 as unpatentable over UENO et al. in view of YAMAMOTO. The Examiner relies upon YAMAMOTO for disclosing an LCD display monitor. The Examiner then concludes that it would be obvious to modify UENO et al. to include an LCD monitor. While Applicant does not dispute that LCDs can be used as monitors, the Examiner has set forth no reasonable motivation for one of ordinary skill in the art to modify the disclosure of UENO et al. by utilizing an LCD monitor therein. For this additional reason, it is respectfully submitted that claim 2 is clearly patentable over the references cited by the Examiner.

Accordingly, for each of the above reasons and certainly for all of the above reasons, it is respectfully submitted that the claims in the present application are clearly patentable over the references cited by the Examiner. An action to such effect is respectfully requested, in due course.

By the present Response, Applicant has submitted several additional claims for consideration by the Examiner. These claims are submitted to be patentable, at least based on their dependence from a shown to be allowable claim as well as based upon their particular recitations. In this regard, claims 7-10 are related to previously pending dependent claims 2-5 while claims 11-15 define additional details of Applicant's invention.

P20201.A04

Accordingly, Applicant respectfully requests reconsideration of the outstanding rejections together with an indication of the allowability of all the claims in the present application.

SUMMARY AND CONCLUSION

Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so. Applicant has not amended the claims in order to overcome the prior art. Applicant has amended one independent claim to more clearly distinguish the features thereof from the other independent claim. Applicant has further submitted a number of dependent claims to define additional features of Applicant's invention and to provide Applicant with a scope of protection to which he is entitled.

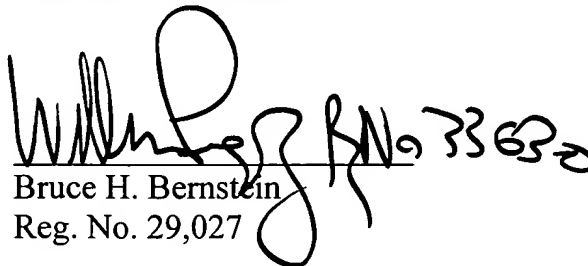
Applicant has discussed the disclosure of the references relied upon by the Examiner and has shown the significant and substantial deficiencies thereof with respect to Applicant's claims. Applicant has discussed the recitations of Applicant's claims and has pointed out the shortcomings of the references with respect to such explicitly recited features. Accordingly, Applicant has provided a clear evidentiary basis supporting the patentability of all the claims in the present application and respectfully requests an indication to such effect in due course.

The amendments to the claims which have been made in this amendment, which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

P20201.A04

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Yasuhiro YAMAMOTO


Bruce H. Bernstein
Reg. No. 29,027

November 8, 2004
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191